

REMARKS

Claims 1-27 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 2-4 and 9-27 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention.

Claims 2-4, 9-11, 15, 17-22, 26 and 27 have been amended, as shown above, in response to the Office's comments to more particularly point out and distinctly claim the subject matter that Applicant regards as the invention.

The Office does not comment on Claims 12, 13, 14, 16, 23, 24 and 25. Applicant respectfully submits that the original recitations of Claims 12, 13, 14, 16, 23, 24 and 25 particularly point out and distinctly claim the subject matter that Applicant regards as the invention.

For at least the reasons set forth above, Applicant respectfully requests that the §112 rejection of Claims 2-4 and 9-27 be withdrawn.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-6, 9-12 and 14-19 stand rejected under 35 U.S.C. §102(b) as being anticipated by Cantu et al. (U.S. Pat. No. 6,056,239). This rejection is respectfully traversed.

1. Regarding Claims 1-6, 9 and 10, Claim 1 recites, "A modular overhead privacy system for a mobile platform comprising: a plurality of independent privacy modules located longitudinally spaced apart, above a passenger cabin, in an overhead crown area of the mobile platform; and a plurality of access stairways providing access to the privacy modules from the passenger cabin, wherein each privacy module is accessible by an independent one of the access stairways."

Applicant respectfully submits that Cantu et al. does not describe, show or suggest a modular overhead privacy system having the elements recited in Claim 1.

For example, Cantu et al. does not describe, show or suggest a modular overhead privacy system having a plurality of independent privacy modules longitudinally spaced apart. Rather, Cantu et al. describes aircraft passenger units 20 including seat-beds 30 that are easily and individually convertible from a sitting position to a reclining position. Figures 3b and 4 of Cantu et al. clearly illustrate the passenger units located in a passenger cabin area and longitudinally connected to each other.

As a further example, Cantu et al. does not describe, show or suggest a modular overhead privacy system having a plurality of independent privacy modules located above a passenger cabin, in an overhead crown area of the mobile platform. Applicant respectfully submits that one of ordinary skill in the art would understand the overhead crown area of a mobile platform to be the area above the passenger cabin. Specifically, one skilled in the art would understand the overhead crown area of a mobile platform to be the area between the outer structure of the mobile platform and the ceiling of the mobile platform. Cantu et al. describes an aircraft convertible sleeper cabin concept that will permit carriers to convert standard seating in passenger cabins of aircraft into advanced design convertible sleeper cabins. The convertible sleeper cabins are a substitute for conventional seating systems used in aircraft. Additionally, Cantu et al. describes that the modular passenger units are an arrangement inside an aircraft passenger cabin. Furthermore, Cantu et al. describes a system that has more than one horizontal layer of convertible passenger units 20 arranged above each other in three layers in tourist class passenger cabins and in two levels in business class passenger cabins. Further yet, Cantu et al. describes that the passenger units 20 may be anchored to the floor 75 of the passenger cabin area 70 of an aircraft in order to form a convertible sleeper passenger cabin system, as shown in Figures 4a, 12a, 12b, 13a and 13b. Thus, Cantu et al. describes horizontally stacked passenger units that replace conventional seats within the passenger area of an aircraft. Cantu et al. does not describe, show or suggest a modular overhead privacy system having a plurality of independent privacy modules located in an overhead crown area above a passenger cabin of the mobile platform.

Thus, for at least the reasons set forth above, Applicant respectfully submits that Claim 1 is patentable over Cantu et al. Claims 2-6, 9 and 10 depend from Claim 1. When the recitations of Claims 2-6, 9 and 10 are considered in combination with the recitations of Claim 1, Applicant submits that Claims 2-6, 9 and 10 are likewise patentable over Cantu et al.

2. Regarding Claims 11, 12, and 14-19, Claim 11 has been amended to recite, "A method for providing individuals of a mobile platform private retiring quarters, said method comprising: providing a plurality of independent privacy modules located longitudinally spaced apart, above a passenger cabin, in an overhead crown area of the mobile platform; providing a separate independent access from the passenger cabin to each said independent privacy module via a plurality of independent access stairways, each access stairway providing access to an independent one of the privacy modules via an aperture in a floor platform of the respective privacy module; and physically associating each said independent privacy module with at least one specific seat in the passenger cabin."

Claim 11 includes recitations similar to the recitations of Claim 1. Therefore, for at least the reasons set forth above with respect to Claim 1, Applicant submits that Claim 11 is patentable over Cantu et al.

Additionally, Cantu et al. does not describe, show or suggest a method for providing individuals of a mobile platform private retiring quarters, wherein the method includes providing access from the passenger cabin of the mobile platform to longitudinally spaced apart privacy modules located in the overhead crown area of the mobile platform via independent access stairways that provide access through an aperture in a floor platform of the respective privacy module. Rather, Cantu et al. describes a ladder element integrally constructed within the passenger unit 20 to facilitate passenger access into and out of vertically adjacent passenger units in the aircraft, the ladder element of one passenger unit 20 being vertically aligned with a ladder unit of a vertically adjacent passenger unit 20. Furthermore, Cantu et al. describes that the fixed integrated ladders 60, FIGS. 1a, 1b, 2, 5, 6, 7, and 11 are

located on the outside lateral panel of the hand baggage bin units 50 of all bottom and middle level modular passenger units 20. Thus, Cantu et al. does not describe, show or suggest a method for providing individuals of a mobile platform private retiring quarters, wherein the method includes providing access from the passenger cabin of the mobile platform to privacy modules located in the overhead crown area of the mobile platform via access stairways that provide access through an aperture in the floor platform of the respective privacy module.

Furthermore, Cantu et al. does not describe, show or suggest a method for providing individuals of a mobile platform private retiring quarters, wherein the method includes physically associating each independent privacy module with at least one specific seat in the passenger cabin. Rather, as set forth above, Cantu et al. describes convertible sleeper cabins that are a substitute for conventional seating systems used in aircraft. Thus, Cantu et al. does not describe, show or suggest physically associating independent privacy modules located in overhead crown area of the mobile platform with a specific seat in the passenger cabin of the mobile platform.

Therefore, for at least the reasons set forth above, Applicant respectfully submits that amended Claim 11 is patentable over Cantu et al. Claims 12 and 14-19 depend from amended Claim 11. When the recitations Claims 12 and 14-19 are considered in combination with the recitations of amended Claim 11, Applicant submits that Claims 12 and 14-19 are likewise patentable over Cantu et al.

For at least the reasons set forth above, Applicant respectfully requests that the §102 rejections of Claims 1-6, 9-12 and 14-19 be withdrawn.

ALLOWABLE SUBJECT MATTER

Regarding Claims 7, 8 and 13, Applicant gratefully acknowledges the Office's remarks that Claims 7, 8 and 13 would be allowable if rewritten in independent form to include the limitation of the base claims and all intervening claims. Claims 7 and 8 depend from Claim 1, which, in accordance with the remarks set forth above, Applicant respectfully submits is patentable over the cited reference. Claim 13 depends from amended Claim

11, which, in accordance with the remarks set forth above, Applicant respectfully submits is patentable over the cited reference. Therefore, when the recitations of Claims 7, 8 and 13 are considered in combination with their respective base Claims 1 and 11, Applicant submits that Claims 7, 8 and 13 are likewise patentable over the cited reference.

Regarding Claims 20-27, Applicant gratefully acknowledges the Office's remarks that Claims 20-27 would be allowable if amended to overcome the rejections under 35 U.S.C. §112. Applicant respectfully submits that Claims 20-22 and 26 have been amended as set forth above to overcome the Office's 35 U.S.C. §112 objections. Claims 23, 24 and 27 depend from amended Claim 20, which is submitted to be in allowable condition. When the recitations of Claims 23, 24 and 27 are considered in combination with the recitations of Claim 20, Applicant respectfully submits that Claims 23, 24 and 27 are also in allowable condition. Therefore, Applicant submits that Claims 20-27 are now in allowable condition.

CONCLUSION

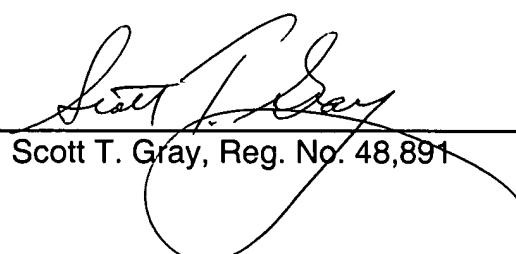
It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7525.

Respectfully submitted,

Dated: 8/30/04

HARNESS, DICKEY & PIERCE, P.L.C.
7700 Bonhomme, Suite 400
St. Louis, MO 63105
(314) 726-7500

By:


Scott T. Gray, Reg. No. 48,891